TIS LATE IN THE SEASON

And, therefore, Would-be-Buyers can find at Our House

Greatly Reduced Prices

WHITE GOODS, LINEN LAWNS, LACES, PARASOLS, FANS,

LADIES' AND GENTS' UNDERWEAR

VISITORS WILL APPRECIATE SPECIAL CONCESSIONS.

WHOLESALE

MEMPHIS, TENN.

LARGE STOCK OF

LARGE STOCK OF

WE ROAST COFFEE AND PEA-

NUTS EVERY DAY.

LOCAL PARAGRAPHS.

-The perspiring season having put in an oppearance, the poet takes a tilt at it in the

-Yesterday afternoon, John Walsh, a

waiter at Gaston's Hotel restaurant, became

verheated and complained of a pain in the head and a chilly sensation. He went out to

a friend's house, near Estival Park, and died

cotten up in epicurean style, was too much for them. It is rumored that a number of

-Yesterday morning a colored man, Albert McCoy, lay in wait for Horace Hayes, col-

ored, in front of a residence near the alley on Desoto street, between Union and Monroe,

within two hours from sunstroke.

lowing stanza:

ome and await the cotton bolls.

AMUSEMENTS.

THE MEMPHIS DRIVING CLUB Offers the following

Premiums for the Racing on Friday,

Running Race-Two best in three; one-br IIA Splendid Whip is offered as a Prize to est Lady Rider

JET PALACE.

S. T. CARNES, President

The Jet Palace Fallcy

233 Main St., Clay Building

MEMPHIS, TENN.

Just received an elegant line of OPTICAL GOODS.

spectacles for the Near-sighted. Spectacles for the Weak-Sighted Also, Gold, Silver and Nickel Watches, or Ladies and Gents, Solid Gold and Plated Chains, Solid Gold and Plated Jewelry, Fancy Goods, Onyx, Jet and

THE JET PALACE

253 Main Street, Memphis.

ROOMS AND BOARD.

OUND AT LAST—The place to get Windo A wrings put up, in the latest style, of Fanc wring material and for the small sum of \$2.0 cerybody can now afford to get them. McKITTRICK & CO., 221 Second Street.

FOR SALE. HITZFELD'S Headlight Oil, Summer Stovest

GOOD MAIN STREET STORE-Paying over to

POUNAWAY-Nearly new; shifting top: very TORN DRILL-R. G. CRAIG & CO., 261 Ma

ENUINE VELLOW YAM POTATO SLIPS Apply to W. S. Taylor, E. Front street, rough repair, with two banks of seys and blow lever. evernt good Second-hand Planos, very low E WITZMANN & CO., 223-225 Second st

TICE TWO-STORY FRAME DWELLING—Righ rooms: gas and water; five minutes wall rom Court Square. Possession given July 1, 1881 Apply to W. L. PARKER, 16 Madison street. DESTRABLE SHELBY STREET ROUSE. Also NICELY FURNISHED BOOMS - At redn rates, at 256 MAIN STREE

NURSE-Immediately
Apply at No. 6 ADAMS STREET ENITURE PACKING, STORAGE, etc., in the best manner and at the lowest price. McKITTRICK & CO., 221 Second street

Denote street, by

DRICK MACHINE—Mr. J. A. Reeder, of Care

D Mississippi, has patented a cheap and effecbrick machine, which makes 15,000 to 20,000 to
per day. The machine can be made for 82.

eral commission to agents to sell territory,
full particulars address

J. A. REEDER

Corinth, M.

THE WHOLE MATTER.

preme Court of the State in the Case of

phis, and in which the Court allows a re-viver against the Taxing-District govern-ment of the city. This was all that was be-fore the court and all that was passed upon, but the opinion covers the entire ground and will be read with interest, as will also the

When the charter of a municipal

of John O'Connor vs the City of Memphis

a municipality. [Luehrmann vs Taxingthe time of the passage of these acts, the suit
of John O'Connor vs the City of Memphis ant, a scire facius was issued in the case re-

port of the demurrer is rested upon the ground that the new corporation sustains no such relation to the old corporation as to authorized against it in any in the absence of any Legislature may expressly

Frank Sampson and Lee Haynes, Ned Gillham and Fannie Hayes.

—A number of races will be given at Olympic Park to-morrow afternoon under the anspices of the Memphis Driving Club.
—At 12 o'clock last night the Arraal editorial thermometer, located near an open window, indicated 92 degrees of temperature.

—Next Sunday the German Rifle Club will visit the Outannoor range, in Fort Pickering, and practice in search of bull's eyes at two hundred yards, off hand, with regulation rifles.

—The premise it has been ingeniously and ably argued that two successively corporations cannot be connected together any more than two human beings, born successively, can be treated as one. But if the doctrine of Metempsychosis be admitted, the identity of individuals would be possible by the transmigration of the same community and the same community and the same community and the same individuals would be possible by the transmigration of the session in rights and liabilities is recognized by law. And the Legislature and the courts of the new corporation, to remain public property in the name of the Taxing District, this property is again transferred to the custody and control of the same community and the same territory in the name of the Taxing District, this property is again transferred to the custody and control of the State, to remain public property for the use to which it had been previously applied." By the act reincorporation of the same community and the same territory in the name of the Taxing District, this property is again transferred to the custody and control of the State, to remain public property for the use to which it had been previously applied." By the act reincorporation of the same community and the same territory in the name of the Taxing District, this property is again transferred to the custody and control of the State, to remain public property for the use to which it had been in the country of the public property for the use to which it had been previously applied." By the act reincorporation of the S

pressly repealed and an entirely new charter done was that the people and territory of the granted. It has been loosely said that whether repealed corporation were at once reincorpo Temperature at noon yesterday, 96°; ba-neter, 30 inches. At 3 o'clock, in the Ara shade over 99°, the effect of reflected heat.

Several of the Eeglish cotton buyers in this market, have started on their annual summer trip home to England, and will return in time for the opening of the next cotton season.

Yesterday forenoon a fire destroyed a started for the corporation account. The corporation of the corporation is identical with the old corporation in all its essential elements. A charge in the form of the government yould be unimpostant. Unless, therefore, there is something else in the charter to take the case of the language of Judge out of the rule, rights and liabilities would remain as before. -Yesterday forenoon a fire destroyed a time dwelling at the Charleston railroad ot grounds. It was occupied by Foreman fler, of the shops. The cause of the fire

lows vs Halloweil Rank, 2 Mason, 43.] But 11, section 14. This is, however, a mistake. in no case have the court eyer failed to de-claryose Eucampment, No. 3, were elected for the ensuing year; M. Logan, C. P.; D. C. Frader, H. P.; H. Schilling, S. W.; Dan Schloss, Scribe; Marcus Jones, Treasurer; hris Kaiser, J. W.

charters, upon a total cossation of user corporation. There was a large and in for years under an old charter, have been beld to have no greater effect. [Colchester vs. Seaber, 3 Burr, 1866.] "Many corporations," either in the course of its regu says Lord Mansfield in this last case, "for or acting under the orders of the

to this: Can the Legislature, where the cor-porations are substantially the same accord-ing to the terms of the charter as construcand territory reincorporated constituted an integral part of the corporation abolished. The reason is to be found in the peculiar nature of such corporations. A charter for municipal purposes is an investing of the people of a place with the local government thereof, constituting an the local government thereof, constituting an imperium in imperio, and the corporators and the territory are the essential elements, all being mere incidents or forms. [Cuddon vs Eastwick, I Salk., 192; Luchrman vs Taxing District, 2 Lea, 425; People vs Morris, 13 Wend., 325; People vs Hurlburt, 24 Mich., 44, 88; New Orleans Railroad company vs City of New Orleans Railroad company vs City of New Orleans 2011, 44, 450

City of New Orleans, 26 La. An., 476.] And precisely as a change in the form of government, or even the conquest of a State, will not affect its rights or liabilities, whatever may be the incidental modifications, so neiproperty held by such a corporation for public use cannot be subjected to the claims of creditors, and is only held by it as trustee. The only means at its disposal for the payment of debt consist, ordinarily, of the taxes which it is authorized to raise from the persons property and business within its taxi-

which it is authorized to raise from the per-sons, property and business within its terri-torial limits. The persons and property, or, as said above, the corporators and the terri-tory are the essential constituents of the cor-poration, and rights and liabilities naturally adhere to them. The courts have according-ly held that creditors may follow these con-stituents even when divided out among other distinct municipalities the original destreawith different powers and different officers, a suit pending against the old corporation at the date of the repeal may be revived against the new corporation.

distinct municipalities, the original debtor corporation being abolished. As long as the old corporation continues to exist, although shorn of its proportions, the creditor may, By the act of 1879, chapter 10, the Legis-ature repealed certain charters of munici-al corporations, and, among others, the county, 92 U. S., 307.] A qualification of the

though the point seems never to have arisen in judgment, where the municipality has in judgment, where the municipality has been so reduced in population and territory as to be unable to meet its liabilities. If, however, two new townships are created out of an old one, it has been held that a judgment welfare of such districts." The community embraced in the territorial limits of the city of Memphis became, by the act, the Taxing-District of Shelby county, and organized under it. The Court has held, as the result, that the charter of the city of Memphis had been validly repealed, and that the same people and the same territory had been constitutionally reincorporated as a municipality. [Luchrmann vs Taxing-

was pending on the docket of this Court by annexation will be that the two enlarged corappeal from the Chancery Court. At the porations will be entitled to all the public property and immunities of the one that ucceeding term, on motion of the complain-nt, a seire facins was issued in the case re-juiring the Taxing-District of Shelby county o show cause why the suit should not be revived against it. The Taxing-District has demurred to the scire facias. The scire facias carried into operation." This Court has reached the same conclusion in the case of a school district divided between other distincts, against the heir, representative, assign or "other successor" of a deceased party.

(C. d. 2019 a sign of the plant of the prior to the time when the annexation is carried into operation." This Court has reached the same conclusion in the case of a school district divided between other distincts, [Bank vs. Baber, Nashville, 1880; see also District of Columbia vs. Clerk U. S., S. C. October term [1880, 12 Cont. L. J. 381,] In view of the plant of the prior to the time when the annexation is carried into operation." view of the plenary power of the Legislature nied that the scire facins would lie in this case if the Taxing-District could be brought in for the purpose of being proceeded against as a proper defendant. The argument in sup-

ze any proceeding against it in any in the absence of any Legislation on the sub-node for a debt of the latter. It is also ject, and that the legislature may expressly revivor is necessary. But if this be conceded, the complainant would still have the right, by suggestion of record or otherwise, to bring ing the opinion of the court in particular the facts before the Court, so that the further cases, have taken care, as was right and the facts before the Court, so that the further proceedings might be in the right name. In this view, the scire factors may be treated as a notice, and, in the absence of any special objection to the form of the proceedings as sufficient to raise the issue to be determined. [East Tennessee and Georgia Railroad company vs Evans, 6 Heis, 607.] The real question is whether the new corporation is the same as the old corporation, or so far its successor as to be liable for its debts. It was the received doctrine at ore time that by the the received doctrine at one time that by the | poration in its new form, "in the absence of

That section, as the act was originally passed

uncollected taxes which had becauserser from time to time by the city of lemphis

and of the town of "South Memphis" were reincorporated under the name and style of the "Mayor and Aldermen" of the city of Memphis by an act which expressly repealed all laws to the contrary, the previous charters of the separate corporations being thereby repealed as was held by this Court [Daniel vs. Mayor and Aldermen of Memphis 11 Hum, 5824. The conclusion of Mr. Justice Fields on this subject is warranted by all the we corporation would have the benefit. But authorities: "When a new form has been either the old nor the new corporation is required to be a party to that suit, and therefor the claimant could recover no judgment charter, taking in its new organization.

Desiring to close out our retail department and hereafter do an exclusive wholesale bus in ss in olothing and gents' furnishing goods we offer the goods now left in our retail de partment very cheap. We have large lots of fine suits and broken suits which we offer as job lots, much less than cost. Merchants and NORMAL INSTITUTE.

Circular from the State Superintendent of Education Relative to the Normal Institute

To be Held at Knoxville, Beginning June 30th and Closing July 20th-A General Invitation.

The following circular as to the holding

Knoxville next month has been received fro dowment from the Peabody educational fun aided by the University of Tennessee and the citizens of Knoxville, there will be held at the University, in Knoxville, a State Nor-mal Institute, beginning June 30th and clos-ing July 20th. The Institute will be free to all teachers and school officers, public and private, in the State. All other persons in-terested in advantage will be welcomed. Its object will be to teach teachers, and by ex-hibiting advanced and improved methods of instruction, to elevate the grade of school work in the State. The course of instruc will cover all the subjects comprehended in the school laws of Tennessec. These are: (1) orthography, (2) reading, (3) writing, (4) arithmetic, (5) English grammar, (6) geography, (7) history of the United States, (8) geology of Tennessec, (9) elements of agriculture. In addition there will be instruc-

tion in the word method, phonics and pho-netics, object lessons, map drawing, organiza-tion and gradation of schools, school disci pline and the principles of pedagogics.
Optional courses will be offered in experimental physics, and in the Latin, French and German languages. The State Superintendent will give a course of lectures on topic connected with the public school interest connected with the public school interests of Tennessee. A course of public lectures on subjects of a more popular character connected with education will be delivered at intervals during the Institute by a number of distinguished gentlemen. Special rates will be secured on all the railroads in the State for teachers er school officers to and from the Legitima. Institute. Ample accommodations will found in Knoxville at very low rates. Text books will be furnished in some cases free of charge; in others at wholesale rates. Teach-ers should bring such as they have. A more detailed circular will be furnished hereafter

on application. Persons desiring this, all who propose to attend the Institute, requested to notify the Secretary of the stitute, Prof. E. Alexander, Knoxville, Tenessee, by postal-card or otherwise. T State Superintendent invites all teachers a to make an effort to avail themselves of th advantages which have been so generousl provided in this Normal Institute. No suc opportunity has occurred in our State for general union of teachers for the commo benefit of public education. It is particular requested that School Supe intendents will attend, and endeavor to induce their teachers to do so. A generous response on our par will be the best means of securing the

THE OLD STORY.

Road Against Memphis.

LAW REPORTS.

The call of the law docket will be resumed to-day, and the following cases set for hear-ing: 1456, United Stats vs Tomeny et al; 1607, Larkin vs Saffrans et al; 1680, Smith et al vs Jackson; 2125, Shanks et al vs I concur in the foregoing opin on for sim-lar reasons. Johnson; 2490, Green vs Dyersburg; 2491, Schlaicher vs Hoegel; 2515, Betts vs Mem-phis; 2533, Sweney vs Caldwell; 2542, Dunlap vs Duncan et al; 2557, Hazeletine, usof, vs Mississippi Valley Insurance Company; 2558, Norton vs Shelby county; 2560 same vs Tipton county; 2561, Goldberg et al vs McKenna et al; 2584, Bradford et al vs Yan-M. Horson Johnson ad wife arrived in the city last evening onboard the steamer Gaff, and are stopping athe Peabody.

Miss Jennie Lamar, of Missistippi, is visiting thom L. Q.C. Lamar, of Missistippi, is visiting City Railroad Company; 2612, Norton 78 Shelby County; 2620, Arny & Co. vs Memphis and Charleston Railroad Company; 2623, Jerman vs Gwynne et al; 2624, McCarty vs Hatch; 2634, Griffy et al vs Missis-

sippi Valley Insurance Company; 2635, Elli-son et al vs Samter; 2635, Walthall, administrator, vs Knickerbocker Insurance Com-HOTEL ARRIVALS. Penbody Hotel-C. B. Galloway & Co.

Rates \$2 50, \$3 and \$4 per day. The house is fur-dished with a steam passenger elevator, and is first-lass in every department. Seventy-five rooms at W B Wellens, Miss T A Hatcher, Ark John H Rogers, Ark Thos P Martin, Texas R W Meduire, Miss O E Robinson, Ky W H Martin, Lake

rk Juo I. Williams, Ark
A F Cook, Miss
C W Wright, Miss
di, Tenn
th, Tenn
C H Foster, Miss
A Loeb, Ky
RH Whitfield, Miss
Hiss Miss F Anderson, Tenn
Hiss W G Hearn, Ala
Texas R A Given, Pa
W F Hamner, Tenn
Mrs E Glover, Tenn
John C Read, Tenn

LOCAL NOTICES.

J. W. Kinney, 386 Main street. Purifying pumps at manufacturers' prices. THE place to take your lady friends for efreshments. The Memphis Restaurant, North Court street, opposite the Square. PILES, or hemorrhoids, is not the least of many diseases which afflict mankind, but Fabler's Buckeye Pile Ointment, used according to directions, is a permanent cure. For safe by G. W. Jones & Co. WHEN summer heat and dust parch our broats, "Hub Panch" is acceptable. It far

exceeds ordinary toddies, and it is unequaled with fine ice, lemonade, milk, etc. Keep it in THEY never fail to have a beneficial effect on the system. We refer to J. M. Laroque's
Anti-Billions Bitters. Twenty-five cents a
paper, one dollar a bottle. W. E. Thornton,
sole proprietor, Baltimore and Harrison

OR. WARD'S SEMINARY, Nashville, Tenhessee, closed its sixteenth year with two hundred and fifty young ladies and thirty-two graduates. This is a school of progress. It has long experience fine helidions It has long experience fine buildings and splendid teachers. I has lately added a deeartment for cutting and fitting clothes. Next car opens September 1st. Send for new cat-

The People's World-Wide Verdict. Burnett's Cocoaine has been sold in every vilized country, and the public have ren-ered the verdict that it is the cheapest and best Hair Dressing in the world. BURNETT'S FLAVORING EXTRACTS are invariably acknowledged the purest and the

Refined Cooking Oil

nando and Vance. Choice Butter Leceived daily by express. Corner Hernando and Yance

C. J. Hargan & Co., Manufacturers of and dealers in Soda and Mineral Water, Sarsaparilla, Ginger &le, Seltzer Water and Cider 23 Alabama street. Telephone orders.

ADMINISTRATOR'S NOTICE Office of Public Administrator—Shelby County Conrthouse, March 7, 1881. THE undersigned having been appointed admin-istrator of the estate of H. B. Williford, dec d. I istrator of the estate of H. B. Williford, dec d. notice is hereby given to all persons indebted to said estate to come forward and settle; and to those to whom said estate is indebted, to file their claims with me, duly probated, within the time prescribed by law, or the same will be; forever parred [tne] JOHN LOAGUE, Public Adm'r. ANTE

CLEARANCE SALE.

COST PRICE

PASSEMENTERIES, LACES

RIBBONS, FANCY GOODS.

EXACT CHANGE GIVEN!

STEAMBOATS.

river having been discontinued, no hoat win leave Memphis for that stream on Saturdays. As long as the business will justify it, the RENE MACREADY will make one trip a week, leaving here EVERY TUESDAY EVENING, at 5 o'clock, for all land-ings on St. Francis river. J. D. RANDALL. FOR NEW ORLEANS. ouis and New Orleans Anchor Line

A. J. Carter, master.

Will leave Auchor Line wharfboat SATURDAY
June 18th, at 12 m. For freight or passage ap
ply to AD STORM, Sup't on wharfboat.

City of Providence,

Belle Memphis, FOR LOUISVILLE AND CINCINNATI

For Cairo, Louisville, Cincinnati STEAMERS -JAS. W. GAFF, ANDY BAUM, CONS MILLAR, VINT SHINKLE,

VIRGIE LEE, JAS. D. PARKER. BEN FRANKLIN. Steamers of this Line leave Memphis EVERY TUESDAY & FRIDAY, at 5 p.m. Eastern, Northern and Western Points,

Giving Through Tickets to all Points, Chicago, Toledo, Buffalo, Richmend, New York, Washington City, Philadel-phia and Boston. EAST, NORTH & WESTERN TOURISTS will find the LaBelle River Route Safe, De-lightful and Economical. other first-class route. Meals and

Staterooms Free. Baggage Checked Through. Description of the Steamers are all First class, having been expressly built for the accommodation of

FOR ARKANSAS RIVER.

Marlin Speed, and through to Fort Smith. owland ... master | Jas. N. Thompson ... clerk sas above WEINNESDAY June 15th, at 5 p.m. freight or passage apply to JOHN N. HARBUS, Sup't 224% Frontst.

Bene Macready,
O. K. Joplin. master | Banning, cl'k
Will leave Memphis EVERY TUESDAY at 6 p.m.,
for Marianna, the Cut-off and all intermediate
landings.

J. D. RANDALL, Sup't.

M. R. Harry, Master.

Will leave Memphis EVERY SATURDAY, at 5 p. m., connecting direct with the new Black river U. S. mail packet MILT HARRY for Powhattan and Pocahontas, and with Daily Fackets to Batesville and Upper White river. Through rates to all points, Freight consigned to Milt Harry Line, Memphis or Terrene, will be promptly forwarded.

Office, No. 5 Madison street.

E. W. LIGHTBURNE, Agent, 7 Monroe st. Memphis & White River Packet Co

HARD CASH,

LEE LINE STEAMERS. For Glendale, Helena and Friars Point.
James Lee,

dams U. S. Mail Line-For Helena, Friars Point, Terrene, Concordia, Arkansas City and IDLEWILD,

FOR OSCHOLA. ekly U. S. Mail Packet-For Rat Osceola Belle, Cooper, master | Win. Smithem, cl'k Will leave Memphis every MONDAY, WEDNE DAY and FRIDAY, at 5 p.m. For information a ply on board, or to No. 2 Madison street.

CEMENT. J. B. WHITE & BROS.

RICE, STIX & CO.

Our business in St. Louis has increased to such an extent that it makes it a physical impossibility to carry on both houses, hence we have decided, with much regret, to close our Memphis House, and with that view we offer for sale

OUR ENTIRE STOCK OF GOODS

The stock is fresh and well assorted. City and Country Merchants will do well to avail themselves of this opportunity to buy at least Ten Per Cent. Below the Market Value. To any one wishing to embark in the Jobbing Business, we will offer special inducements as to terms and prices.

RICE, STIX & CO.

J. W. Caldwell & Co.

WHOLESALE GROCERS.

Cotton Factors and Commission Merchants 330 Front street, Memphis, Tennessee.

R. L. COCHRAN &



DOORS, SASH, BLINDS, MOLDING, LUMBER Lath and Shingles, Flooring, Ceiling, and Cedar Posts, NEW FIRM.

LUMBER MERCHANTS

DOORS, SASH, BLINDS and MOLDINGS, FLOORING. Ceiling, Siding, Shingles, Lath, Etc.

DILLARD & COFFIN

COTTON FACTORS And General Commission Merchants, NOS. 302 AND 304 FRONT STREET, MEMPHIS.

HILL, FONTAINE & CO. Cotton Factors & Wholesale Grocers,

HILL, FONTAINE & CO.

Cotton Factors, Commission Merch'ts No. 116 South Main street, St. Louis.

Wholesale GROCERS & COTTON FACTORS

Cotton Factors and Commission Merchants, 190 Gravier street, New Orleans, La. Cotton consigned to us at Memphis or New Orleans will have prompt and careful attention. We constantly carry a large and carefully selected stock Staple and Fancy Groceries, Wines, Liquors, Tobacco and Cigars at MEMPHIS, and will sell as low as the lowest. We carry no stock at New Orleans, but for parties who desire it, will make purchases in that market.

FOR WHITE AND BLACK RIVERS.

MILT HARRY LINE—Memphis White and Black River U. S. Mail Packet.

For Indian Bay, St. Charles, Clarendon, Devalls Bluff, Des Arc, Augusta, Jacksonport, Searcy, Batesville, Powehattan, and Pocahontas, The new and elegant steamer

Fullmer Burton & Co **GROCERS AND COTTON FACTORS**

Nos. 371 and 373 Main St. Memphis. WETTER, LANGSTAFF & CO. HARDWARE JOBBERS

STOVES, TINWARE, LAMPS, OILS

Mantels, Tinners' Stock, Agricultural Implements. SPECIAL AGENTS FOR FOLLOWING POPULAR STOVES: Charter Oak, Early Breakfast, Champion, _Also FOR_ Bluff City, Etc. Hall's Safes, Fairbank's and Buffalo Scales, Haiman's Universal Stock and Scraper,

OLIVER CHILLED PLOWS, Boston Belting Company Straub Corn and Wheat Mills. A. S. LIVERMORE, President.

J. H. WESTBAY, Foreman of Machinery.

GEO. W. WAINRIGHT, Foreman Pattern Dept

The Livermore Foundry & Machine Co 160, 162, 164, 166, 168, 170, 172 and 174 Adams, Memphys.

on and Brass Castings, Shafting and Pulleys, Cotton Presses, Plantation Work Building Work, Railroad Work, Steamboat Work, Brass Goods, Pipe and

Pipe Fittings. General Repairs and everything pertaining to the Foundry and Machine Shop Busines We are now thoroughly prepared to fill all orders, promising good work, promptness and fair prices. John S. Spillivan.

ENGLISH PORTLAND CEMENT IVI. GAVIN&CO. Wholesale Grocers, Cotton Factors,

GOVERNMENT STANDARD—THE BEST FOR Concrete, Foundations, Cellar-floors, Pavements, Artificial Stone, etc. For sale by John A. Denie, Sole Agent, 352 Front street, Remphis.

And Commission Merchants.

232 and 234 Front St., Memphis, Tenn.

Between Adams and Jefferson.

Our I.N. RAINEY devotes his whole time to the Weighing and Sale of all Cotton intrusted to our charge. We have our own Cotton Warehouse, corper Washington of all Cotton intrusted to our charge.

200 MEN-To work on Natches and Jackso lload as bridgerson, track tayers, station men, teamsters and day laborary. Foremen on gradwanted. A steady man to take charge of stables sixty mules. Free transportation on road from Natches to work at Martin, Miss.

THOS. F. DUFFIN & BRO., Contractors.

John 6'Connor Against the City Memphis-A Dissenting Opinion

ration is repealed, and the same people and the same territory are re-incorporated as a municipality under a new name, although with different powers and different officers,

hn O'Connor vs. City of Moniphis. pal corporations, and, among others, the charter of the city of Memphis. By an act ssed on the same day, the several commu-ties embraced in the territorial limits of

principles of the common law, upon the civil death of a corporation, its real estate reverted to the original grantor or his heirs, the debts due to and from it were extinguished, and its personal property vested in the State. The law was so stated, arguendo, in some of our cases. [White vs Campbell, 5 Hum., 38; Ingraham vs Terry, Il Hum., 572; Hopkins vs Whitesides, 1 Head, 31.] There is reason to doubt whether the decisions of the courts ever justified such a statement of the law. [Bacon vs Robertson, 18 How., 480.] And it is now well settled, both in England and in this country, that equity will, upon the dissolution of a corporation by the expiration of its charter or otherwise, impound its property, real and personal, and appropriate it, first to the payment of its debts, and then for the benefit of statute, that upon the civil death of a corporation, its real estate does not rever to the original owners, the debts due to and from it are not extiguished, and its personal property does not rest in the State. This Corporation, its real estate does not rever to the original owners, the debts due to and from it are not extiguished, and its personal property does not rest in the State. This Corp., in accordance with all the modern rulings, has expressly so heid. [State vs Bank of Tennesse, 5 Bark, 101.] Looking only to the fact that a corporation is created by its charter, it is logically correct to say that each corporation called into being by an independent charter is a distingt entity. From this premise it has been ingeniously and ably any not be connected together any more than two human beings, born successively, can be the constitution of the State (retired). In the act repealing the charter of the city of Memphis there is a provision transferring the public property of the city to the "custody and control of the State (retired) to the context shows, may proportion that its that "the Legislature may nore the legislation. On the context shows, may proportion that the subject; "that is, that is, that the s The examinations of city school teachers -Marriage licenses issued yesterday; rank Sampson and Lee Haynes, Ned Gill-

> a legislative charter will operate to revive rated into a municipal corporation, and and continue an old, or to create a new and dis-Story in the case of a private corporation, where the corporate name of the new crewhere the corporate name of the new creation and some of the corporators were the same as these of a then existing corporation, but the residue of the corporators and the prosecuted to final determination without

clare the identity or succession or consinuity of the two corporations, where the same corporations and the same corporate property have passed to the new corporation. The "terms of the charter have in gree cases, never been construed otherwise. In reference to municipal gorporations, the rule from the earliest times has been that a change of parties." But the conject shows that the suits thus provided for were suits in favor of the old corporation for ir debtedness due to it for taxes or otherwise of name or function would not affect obligations. [Lutrell's case, 4 Rep. 87, b; Heddock's case, Raym. 439.] Entirely new charters, upon z total cossation of user

Scaber. 3 Burr, 1806. "Many corporations, within two hours from sunatrole.

The case of Bills vs. The Momphis City Railway company was called up at the Chancery Court before Judge Michowell year from the course of the receiver. The case disputed but that then the course of the course of the course of the course of the receiver. The case of Bills vs. The Momphis City Railway company was called up at the Chancery Court before Judge Michowell year to the deal of the delightful control of the course of the course of the region of an attention, and to appoint a receiver. The case disputed but that then the third arguments of councel will be made.

The ladies of the Georgia Street Methodist Church, South, will give an incorporation. Where the question has arised upon any remarkable metamorphosis, it has saw books of this State are full of instances where new charters have been granted to municipal copperations upon an express or implied repeat of the course of the Course in the course of the region of any question. The legislature vested this independence in the course of the region of court. The Legislature vested this independence in the course of the course of the waters have beet the fast case, "for want of legal magistrates, have lost their activity and obtained new charters and yet it has necessary for any question. The state is the delightful country about the State of the desposed of for the disposed of for the course of the despose of the course of the despose in the course of the despose of the court. The Legislature vested this independence in the course of the despose of the court. The Legislature is the desposed of for the desposed of for the court was the despose of the despose of the state that the receiver. The Legislature is the despose of the despose of the state of the despose o ladies purpose organizing an opposition bar-becue association, to give a celebration an-nually, and to which no "stag" will be invited or permitted to attend.

REWARD.

SECURITY

SECURIT

the new corporation shall not be liable for the debts of the old? If it can, it would logically follow that the Legislature could prohibit a corporation from paying its own debt. It has no such power. Such a prohibition is simply void. And in this case, under the circumstances, the provision in question is circumstances, the provision in question is amenable to the constitutional objection that it undertakes to impair the obligation of contracts. Whether the Legislature can withhold the taxing power as against debts previously contracted is a grave question not now before us. It may be that the creditor cannot collect his debt, but, to use the language of Judge Clifford in the Beckwith case, "he ought always to be able by some proper action to reduce his contract to judgment." The creditor should have this right in the present case, both for the purpose of

in the present case, both for the purpose of reaching his share of the assets which may be realized by the Receiver, and to have the benefit of future legislation. The courts can never presume the permanent repudiation by the State of an honest demand. This Court has decided that the holder of a valid claim on the treasury of the State is entitled to compel the Comptroller to issue him a war-rant therefor, although it cannot be paid without an appropriation for the purpose by the Legislature, and no such appropriation We express no opinion in any point not now before us. All we undertake at present to decide is that the Taxing-District of Shelby

county is so far the successor of the late cor-poration of the city of Memphis, or the same corporation under a new name, that a suit pending against the old corporation may be revived against the new, and prosecuted to John O'Conner vs. City of Memphis—Concurring Opinion on Revivor. I think it proper to state briefly the grounds of my concurrence in the result of the opin ion of my brother, Cooper, in this case. When this question of repeal of the former charter of the city of Memphis, and establishment of what is known as the "Taxing District" was before this Court, April term 1879, in the case of Leuhrmann vs. Taxing-district, 2, Lea, 425, I dissented from the opin-ien of the majority of the Court, holding

the law establishing the Taxing-District un-constitutional—violative of the spirit as well as the letter of our State Constitution. After careful revision of the question, I am more deeply impressed with the correctness then expressed, and of the impossibility of working into our system so incongruous a conception as the one known as a Taxing-District. The question of the effect of the legislation then under consideration on the contracts and liabilities of the city of Memphis was not before the court, and no opinion was called for on that question. I confess that if we concede that the charter of the city had been repealed, and

charter of the city had been repeated, and there had been no other corporate body established to take its place, on the theory of the decisions of the Supreme Court of the United States, as well as the general current of authority, I should have found the gravest difficulties in holding any corporate body liable for debts of the city; or rather, conceding the liability, in enforcing such liability without a corporate organization upon which corporate organization upon which the courts might operate in enforcing such liabilities. But the opinion of the majority is the law of this case. The matter so far as the city of Memphis and the Taxing-District are concerned, is res adjudicata, and, however I might and would contest the proposition in any other case, when such judgment had not been had, I am compelled to follow it in this. This being the state of the case, and a new

This being the state of the case, and a new corporation created on the same day of the repeal of the old, taking its place over the precise same territory and inhabitants, the very same sources of revenue being transferred to them, I feel compelled to agree with the conclusions of my brother, Cooper, in this case, and hold this last to be the successor in intent of the old corporation, and as such, taking its place and responsibilities. Therefore, it is proper to revive suits.

Therefore, it is proper to revive suits the chamber of Commerce look into this matter.

MEMPHIS, TENN., June 16, 1881.

MINDHIS, TENN., June 16, 1881. principles of the common law, upon the civil express provision for their payment other-leath of a corporation, its real estate reverted wise." So, Mr. Justice Clifford's expression the "Taxing-District" as a new muncipal mer, which has been repealed.

> GENERAL P. B. NEELY of Bolivar, Tenlessee, is at the Peabody. THOS. R. BOYLE leaves to-day for a few veeks sojourn in Hardemn county. friends and relatives in the city and suburbs. Miss Olivia Hull emetained several of her lady and gentlemen frinds in a most de-lightful manner at her reidence on Court

PERSONAIS.

DR, H. Ess has written letter from Vienna, Austria, sending hisregards to his pro-fessional brethren and over friends. He is pursuing medical studic as to the eye and ear, at Vienna, and will sot be home for six DR. R. C. MALONE le the city last night for Tullahoma, Tennese, where he will re-main during the summ as resident physi-

tion, in which he evideny gives satisfaction,

LADIES' NEWSANDALS!

BEAUTIFUL SADAL BOOTS!

MENKEN ROTHERS

These goods are catom made, of the EXCEEDINGLY LOW PRICES!

MENKEN BROTHERS.

Bailey Spange. This healthful resort s now receiving large number of guest. The wonderful curative powers of the waters, the delightful

A Household Necessity-The Cook's De The Eureka fire-proof stewpan, the finest on earth, for sale by g. I. MOORE & Co., Corner Hernando and Vance Austin, Berry & Co.

retailers will do well to see what we offer. AUSTIN, BERRY & CO., No. 323 Main street. Sewer Connections. Good work at reasonable prices. J. A.

erything nice in the grosery line.

Neuril Cures Neumlgia Instantly A few drops applied kills the pain. New size 50 cents. G. W. Jones & Co. agents Patent Window Cleagers, 25 to 50c each

Patent Scrub Brushes, at 75c each.

Refrigerators from \$10 to \$22.

WETTER, LANGSTFF & CO.

Will Sell at and at Less than

SILKS. VELVETS.

EMBROIDERIES.

John A. Scudder RD

FOR CAIRO AND ST. LOUIS. t. Louis and Vicksburg Anchor Line. U. S. Mail-FOR CAIRO AND ST. LOUIS.

MEMPHIS & OHIO RIVER PACKET COMPANY.

passengers.

Be Each steamer carries a full STRING-BAND.

R. W. LIGHTBURNE.

General Freight and Ticket Agent.

A. Y. STEVENS, Passenger Agent,

No. 7 Monroe street, Memphis, Tennessee.

FOR ST. FRANCIS RIVER.

FOR WHITE AND BLACK RIVERS. Josie Harry,

Stack Lee, master | Whitlow, clerk.

MONDAY, WEINESDAY and FEIDAY, at 4 p.m.

Office, No. 2 Madison street. FOR ARKANSAS CITY.

GENTINE